

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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CONSERVATION LAW FOUNDATION, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
EXXON MOBIL CORPORATION,	)	Case 1:16-cv-11950 (MLW)
EXXONMOBIL OIL CORPORATION, and	)	
EXXONMOBIL PIPELINE COMPANY,	)	
	)	
Defendants.	)	
	)	
	)	

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**MOTION TO DISMISS**

Defendants, Exxon Mobil Corporation, ExxonMobil Oil Corporation, and ExxonMobil Pipeline Company (collectively “ExxonMobil”), pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), hereby move the Court to dismiss the Complaint because plaintiff Conservation Law Foundation, Inc. lacks standing to bring any of the asserted claims, the Court lacks subject matter jurisdiction to adjudicate the alleged violations, and the Complaint fails to state a claim for relief. In support of this Motion, the attention of the Court is respectfully directed to ExxonMobil’s Memorandum of Law in Support of Its Motion to Dismiss filed herewith, and to any additional arguments to be properly presented in support of the requested relief in this motion.

**REQUEST FOR ORAL ARGUMENT**

Defendants respectfully request oral argument on this Motion.

Respectfully submitted this 6th day of December, 2016,

EXXON MOBIL CORPORATION,  
EXXONMOBIL OIL CORPORATION,  
EXXONMOBIL PIPELINE COMPANY

By their attorneys,

/s/ Theodore V. Wells, Jr.

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ExxonMobil Pipeline Company*

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)**

I hereby certify that the parties have previously conferred with respect to the relief requested in this motion and have attempted in good faith to resolve or narrow the issue, but have been unable to do so.

*/s/ Deborah E. Barnard* \_\_\_\_\_

Deborah E. Barnard

**CERTIFICATE OF SERVICE**

I, Deborah E. Barnard, hereby certify that, in accordance with Local Rule 5.2(b), this motion was filed through the ECF system on December 6, 2016 and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

*/s/ Deborah E. Barnard* \_\_\_\_\_

Deborah E. Barnard